

Department of Planning and Budget 2019 Fiscal Impact Statement

1. Bill Number: SB1038

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Peake

3. Committee: Privileges and Elections

4. Title: Voter registration; verification of social security numbers, provisional registration status.

5. Summary: Requires the general registrars to verify that the name, date of birth, and social security number provided by an applicant on the voter registration application match the information on file in the Social Security Administration database or other database approved by the State Board of Elections (State Board) before registering such applicant. If the information provided by the applicant does not match the information in such a database, the applicant (i) is provisionally registered to vote and notified as to what steps are needed to be fully registered to vote and (ii) is permitted to vote by provisional ballot, but such ballot shall not be counted until the voter presents certain information. The bill also requires the general registrars to verify annually no later than August 1 that the name, date of birth, and social security number in the registration record of each registered voter in the registrar's jurisdiction match the information on file with the Social Security Administration or other database approved by the State Board and, in accordance with current law, to initiate the cancellation of the registration of any voter whose registration record information does not match the database information. The State Board is authorized to approve the use of any government database to the extent required to enable each general registrar to carry out the provisions of this measure and to promulgate rules for the use of such database. The Department of Elections is required to provide to the general registrars access to the Social Security Administration database and any other database approved by the State Board. The Department of Elections is further required to enter into any agreement with any federal or state agency to facilitate such access.

6. Budget Amendment Necessary: Indeterminate – see Item 8.

7. Fiscal Impact Estimates: Preliminary – See Item 8.

8. Fiscal Implications: The proposed legislation requires local general registrars to verify that the name, date of birth, and social security number (SSN) provided by applicants for voter registration match the information on file with the Social Security Administration or other database approved by the Board of Elections. The bill also requires certain applicants to be “provisionally registered,” which creates a new category of voter registration status. Modifications to the statewide voter election and registration information system (VERIS)

and the electronic pollbook system would be required in order to track and accommodate this new category.

The Department of Elections (ELECT) estimates the system modifications required to accommodate a new provisional registration status will cost \$780,000 and would take approximately one year to implement. The fiscal impact is based on the cost of three contractors, at an average hourly salary of \$130 per hour for 2,000 hours each. Because of the changes needed to VERIS, implementation of such changes are not expected to be completed by the time the legislation would take effect on July 1, 2019. Alternatively, the necessary VERIS changes could be incorporated into the existing multiyear project ELECT recently began to modernize VERIS, which is expected to be completed by July 2021. If the VERIS changes required by this bill were incorporated into the VERIS modernization process, the anticipated fiscal impact of such changes are expected to be lower and could be completed with the project by July 2021, according to ELECT.

It is currently uncertain where social security data may be obtained for the purposes of validating voter registration information or any costs that may be associated with obtaining such data. This bill permits ELECT to use various methods to validate SSNs as approved by the State Board of Elections (SBE). It is ELECT's understanding that the SSA does not provide SSN verification for purposes other than employment verification. Therefore, it is anticipated that a third party vendor would need to be utilized, such as a credit agency. However, § 24.2-418.01 D. of the bill states that SBE may approve the use of any "government database," which may preclude the use of a private vendor.

This bill would require general registrars (GRs) to individually validate SSNs, which appears to require general registrars to register applicants whose SSN is not verified, even if other information on the application is wrong. Rather than denying registration for missing information required by § 24.2-418, Code of Virginia, this bill would require a GR to "provisionally register" an individual which permits them to submit a provisional ballot on election day and provide this individual time to submit documents to prove qualifications. This process would require ELECT to modify the statewide voter registration system (VERIS) to create a new category of voters. ELECT has been awarded funds to modernize VERIS's current functionality, not add significant additional functionality to the system as this bill would require. This bill will add a significant unexpected workload to the team that ELECT has in place. The changes needed to VERIS for the bill will include the following at a minimum:

- Change the voter registration module to talk to the software that talks to the SSN verification service
- Add a new type of registration (currently we have active, inactive, cancelled)
- Modify all reports in VERIS to accommodate the new registration type
- Develop new reports to meet needs of locals and the state to identify the pending registrations
- Modify the electronic pollbook system to accommodate the new registration type
- Develop correspondence in VERIS that is generated when a voter falls into this new category

- Develop software so that VERIS can talk to the identified SSN verification service

In addition to the changes above for VERIS and the finding of a third party vendor to validate SSNs, ELECT will undertake the following major task:

- Modify the agency information technology (IT) Strategic Plan to include this project and
- Obtain Virginia Information Technologies Agency (VITA) project approval for this since it is estimated the cost will exceed \$500,000.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Elections, State Board of Elections and localities.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/15/2019